

24 - CV - 3273
DISTRICT COURT

In re: Linda Lee Theresa Giaccio
aka Linda T. Giaccio
SS #4046,

BANKRUPTCY CASE
24-11344
AMC

Debtor. /

**PRO SE DEBTOR'S APPEAL TO UNITED STATES BANKRUPTCY COURT
(LOWER COURT'S) DECISION DISMISSING CHAPTER 13 CASE AND
DIRECTING SECURED CREDITOR/LENDER TO CANCEL SALE
SCHEDULED FOR AUGUST 27, 2024 FOR VIOLATION OF FOURTEEN (14)
DAY APPEAL WAIVER PERIOD AND FOR THE ISSUANCE OF INJUNCTIVE
RELIEF IN CONJUNCTION THEREOF**

COMES NOW, Linda Lee Theresa Giaccio, Pro Se Chapter 13 Debtor AUG 13 2024
("Debtor"), respectfully files this Appeal To United States Bankruptcy Court
(Lower Court's) Decision Dismissing Chapter 13 Case And Directing Secured
Creditor/Lender To Cancel Foreclosure Sale Scheduled For August 27, 2024 For
Violation Of Fourteen (14) Day Appeal Waiver Period And For The Issuance Of
Injunctive Relief And In Conjunction Thereof, and in support thereof states that:

1. That I filed a pro se voluntary Chapter 13 bankruptcy petition on April 19, 2024 in the United States Bankruptcy Court for the Eastern District of Pennsylvania.
2. That my case was ultimately dismissed on July 10, 2024, pursuant to Order Dismissing Chapter 13 case, with said Order stating and prohibiting me from filing

under any Chapter of the United States Bankruptcy Code for a period of two (2) years.

3. That I have currently have a pending Motion and Hearing for Rehearing and Reconsideration of said Order Dismissing the Chapter 13 case pursuant to Federal Bankruptcy Procedure 9024 in the lower court (Bankruptcy Court).

4. That in conjunction with Paragraph 3 above, the Secured Creditor/Lender did not wait the mandatory fourteen (14) day period before resetting the foreclosure sale in state court with said sale scheduled for August 27, 2024.

5. Therefore, I am seeking an appeal based on the aforementioned stated grounds or basis on the lower Court's decision to dismiss my Chapter 13 bankruptcy case and also an Order directing the lower court and directing Secured Creditor/Lender to cancel the foreclosure sale until there is a decision and adjudication on the pending Motion and Appeal and thereby request the injunctive relief or injunction preventing the Lender/Secured Creditor from proceeding with the foreclosure sale during this period and until there is a final adjudication on these matters.

6. Furthermore, the Hearing for Rehearing and Reconsideration of the Order Dismissing Chapter 13 case is currently scheduled for August 28, 2024, in the United States Bankruptcy Court for the Eastern District of Pennsylvania, but also one (1) day after the scheduled sale of August 27, 2024, and therefore as such, prejudices me, and thereby the need for an expedited hearing in this Court to grant the requested relief both on the Appeal and Motion for Rehearing and Reconsideration.

WHEREFORE, Linda Giaccio, Pro-Se Debtor respectfully files the instant

appeal and thereby requests that the lower court, (United States Bankruptcy Court for the Eastern District of Pennsylvania) be directed to vacate said Order dismissing my Chapter 13 bankruptcy case, and also for the issuance of an injunction prohibiting Secured Creditor/Lender from proceeding with a foreclosure sale scheduled or set prior to the expiration of the fourteen (14) day appeal period, and currently scheduled for August 27, 2024, and for any other and further relief that this Court deems just and appropriate.

Dated this day of 12th August, 2024

Linda Giaccio, pro se
Linda Giaccio, Pro Se Debtor

Requesting a hearing for
appeal prior to Sheriff's sale
AND ALSO STOPPING Sheriff's sale
BECAUSE OF INCORRECT REQUEST PRIOR
TO MY 14 DAY RIGHT OF APPEAL